

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 3:07CR158-P-A**

**RANDY ROY,**

**DEFENDANT.**

**ORDER TO CONTINUE**

This matter comes before the court upon Defendant's third Motion for Continuance [23]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for April 28, 2008. Defense counsel requests a continuance in order to allow additional time to review additional discovery recently received, file pretrial motions, and to meet with his client.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from April 28, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

- (1) Defendant's Motion for Continuance [23] is **GRANTED**;
- (2) Trial of this matter is continued until Monday, June 23, 2008 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from April 28, 2008 to June 23, 2008 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is June 2, 2008; and

(5) The deadline for submitting a plea agreement is June 9, 2008.

**SO ORDERED** this the 18<sup>th</sup> day of April, A.D., 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE